SAO 245B

NNY(Rev. 10/05) Judgment in a Criminal Case Sheet 1

United States District Court

	Northern	District of	New York	
UNITED ST	TATES OF AMERICA V.	JUDGMENT IN	A CRIMINAL CASE	
P	eter DeMott	Case Number:	3:05-CR-00073-00	01
		USM Number: Peter DeMott, Pro S (607) 277-6932 Defendant's Attorney	42715-083 Se, Sheffield Road, Ithaca,	NY 14850
THE DEFENDAN	NT:			
pleaded guilty to co	unt(s)			
pleaded nolo conten which was accepted	` '			
X was found guilty on after a plea of not gu		Indictment on September 26, 2005		
The defendant is adjud	icated guilty of these offenses:			
Title & Section	Nature of Offense		Offense Ended	<u>Count</u>
18 USC, § 1361	Damaging Government I	Property	3/17/2003	2
18 USC, § 1382	Entering a Military Static	3/17/2003	3	
18 USC, § 1382	Reentry into a Military S	Station after Previous Removal	3/17/2003	4
	s sentenced as provided in pages and the Sentencing Guidelines.	s 2 through 5 of this ju	adgment. The sentence is imp	osed in accordance
X The defendant has b	een found not guilty on count(s)	1		
Count(s)		is are dismissed on the mot	tion of the United States.	
or mailing address until	all fines, restitution, costs, and s	United States attorney for this district pecial assessments imposed by this justorney of material changes in econor	dgment are fully paid. If order	of name, residence, red to pay restitution,
		January 24, 2006		
		Date of Imposition of	Judgment	

January 24, 2006 Date

Senior, U.S. District Judge

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AO 245B NNY(Rev. 10/05) Judgment in a Criminal Case Sheet 2 — Imprisonment

DEFENDANT: Peter DeMott

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3:05-CR-00073-001 CASE NUMBER:

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of:

4 months on each of counts 2, 3 and 4, to be served concurrently

	The court makes the following recommendations to the Bureau of Prisons:
X	The defendant is remanded to the custody of the United States Marshal.
	The defendant shall surrender to the United States Marshal for this district:
	□ at □ □ a.m. □ p.m. on □ .
	as notified by the United States Marshal.
	The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
	before 2 p.m. on
	as notified by the United States Marshal.
	as notified by the Probation or Pretrial Services Office.
	RETURN
I have	executed this judgment as follows:
	Defendant delivered on to
at _	, with a certified copy of this judgment.
	UNITED STATES MARSHAL
	Ву
	DEPUTY UNITED STATES MARSHAL

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Sheet 3 — Supervised Release

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DEFENDANT: Peter DeMott
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SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of:

4 months on each count 2, 3 and 4 to run concurrently, and, with such term of supervised release be served in a community corrections center at a facility as close to the defendant's family as possible

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- X The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.
- X The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Deselect, if inapplicable.)
- The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement; and
- 14) the defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

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AO 245B NNY(Rev. 10/05) Judgment in a Criminal Case Sheet 5 — Criminal Monetary Penalties

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DEFENDANT: Peter DeMott CASE NUMBER: 3:05-CR-00073-001

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

			1 2	5 1			1 2		
то	TALS	\$	Assessment 45.00			Fine 250.00	;	\$	Restitution 958.00
			ion of restitution is deferred such determination.	ed until		An	Amended Judgment in a	ı (Criminal Case (AO 245C) will
	The defend	ant	must make restitution (in	cluding communi	ty 1	restitutio	on) to the following payees	ir	the amount listed below.
	the priority	ord	t makes a partial paymenter or percentage paymented States is paid.	t, each payee shal column below.	l re Ho	eceive ar wever,	n approximately proportion pursuant to 18 U.S.C. § 360	ed 64	payment, unless specified otherwise in (I), all nonfederal victims must be paid
Nar	me of Payee			Total Loss*			Restitution Ordered	•	Priority or Percentage
Nev	w Plan Realt	y		\$ 958.00			\$ 958.00		
то	TALS		\$	958.00	_	\$_	958.00	_	
	Restitution	ı am	ount ordered pursuant to	plea agreement	\$				
	day after the	ne d	must pay interest on resti ate of the judgment, pursu nd default, pursuant to 18	iant to 18 U.S.C.	§ 3	ore than 612(f).	\$2,500, unless the restitution All of the payment options	on o	or fine is paid in full before the fifteenth n Sheet 6 may be subject to penalties for
	The court	dete	rmined that the defendan	t does not have th	ie a	ibility to	pay interest and it is order	:ec	I that:
	the in	tere	st requirement is waived	for the fir	ne	□ re	estitution.		
	the in	tere	st requirement for the	☐ fine ☐	res	titution	is modified as follows:		

^{*} Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

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Sheet 6 — Schedule of Payments

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DEFENDANT: Peter DeMott
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SCHEDULE OF PAYMENTS

Hav	ing a	ssessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:					
A	X	In full immediately; or					
В		Lump sum payment of \$ due immediately, balance due					
		□ not later than, or □ in accordance with □ D, □ E, □ F, or □ G below; or					
C		Payment to begin immediately (may be combined with D, B, or Below); or					
D		Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after the date of this judgment; or					
E		Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or					
F		Payment during the term of supervised release will commence within (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or					
G		Special instructions regarding the payment of criminal monetary penalties:					
imp Res Stre can is lo	rison: ponsi eet, S not be ocated						
The	defe	ndant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.					
X	Joir	nt and Several					
	X	Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.					
	Clare Grady, 3:05-CR-00073-002, Daniel Burns, 3:05-CR-00073-003 and Teresa Grady, 3:05-CR-00073						
		The Court gives notice that this case involves other defendants who may be held jointly and severally liable for payment of all or part of the restitution ordered herein and may order such payment in the future.					
	The	defendant shall pay the cost of prosecution.					
	The	The defendant shall pay the following court cost(s):					
	The defendant shall forfeit the defendant's interest in the following property to the United States:						
		s shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.					